

# Staff Summary Report



**Council Meeting Date:** 12/12/02

**Agenda Item Number:** 34

**SUBJECT:** Set public hearings for **December 19, 2002 and January 9, 2003** for University Hayden Butte Redevelopment Area 5 for a redevelopment plan and a General Plan 2020 amendment at 1800 East Rio Salado Parkway.

**DOCUMENT NAME:** 20021212dsrh03

**PLANNED DEVELOPMENT (0406)**

**SUPPORTING DOCS:** No

**COMMENTS:** Set public hearings for **UNIVERSITY HAYDEN BUTTE REDEVELOPMENT AREA 5** (Miravista Holdings LLC, Brad Wilde, property owner) for a redevelopment plan and a General Plan 2020 amendment, located at 1800 East Rio Salado Parkway. The following approval is requested from the City of Tempe:

**#GEP-2002.01 RESOLUTION NO. 2002.51** An amendment of the University/Hayden Butte Redevelopment Plan boundaries, Resolution No. 94.67, Areas 1, 2, 3, 4, and to include as Area 5 the McClintock/Rio Salado Parkway Brownfield Redevelopment Area, adopting a plan for Area 5, and to establish a Community Development Block Grant Program.

**#GEP-2002.02 RESOLUTION NO. 2002.52** A General Plan 2020 amendment to change the designation of a portion of the McClintock/Rio Salado Parkway Redevelopment Area from Open Space to Mixed Use land use classification on 74 gross acres, located at 1800 East Rio Salado Parkway.

**PREPARED BY:** Hector Tapia, Senior Planner (480-350-8586)

**REVIEWED BY:** Steve Venker, Planning & Zoning Manager (480-350-8920)

**LEGAL REVIEW BY:** Cliff Mattice

**ADDITIONAL INFO:** In November of 1999, the City annexed the 110-acre county island, also known as the "Rio Salado Annexation Area". Through a Development Agreement, on March 30, 2000, Council approved a zoning change to I-2 on 103 of the 110 acres. On November 29, 2001, the City Council approved a request for a zoning change, on behalf of property owners of 35 parcels, who wanted to rezone approximately 50.3 net acres, to I-3, Heavy Industrial Zoning District. Now this request is the next phase of the redevelopment process in the formation of the McClintock-Rio Salado Parkway Brownfield Area Redevelopment Plan. On November 12, 2002, Planning Commission approved this request by a 6-0 vote.

## **RESOLUTION NO. 2002.51**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, RELATING TO REDEVELOPMENT AREAS; AMENDING THE BOUNDARIES OF THE UNIVERSITY/HAYDEN BUTTE REDEVELOPMENT AREA, TO INCLUDE AS AREA 5 THE MCCLINTOCK/RIO SALADO PARKWAY REDEVELOPMENT AREA AND ADOPTING A PLAN FOR AREA 5, AND APPROVING AN UNDERTAKING OF A COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

**WHEREAS**, the City Council established the University Hayden Butte Redevelopment Area on March 22, 1974 and last amended the boundary on February 25, 1999, and

**WHEREAS**, the City Council established the McClintock/Rio Salado Parkway Redevelopment Area on September 13, 2001 with the intent of creating a Redevelopment Plan, and

**WHEREAS**, the City Council desires to amend the boundaries of the University Hayden Butte Redevelopment Area to include the McClintock/Rio Salado Parkway Redevelopment Area as "Area 5" with its own redevelopment plan, and

**WHEREAS**, the City Council has carefully considered the requirements of Title 36, Chapter 12, Article 3, Section 36-1471, et seq., and has concluded that all declarations, findings and other determinations required by law to be made relating to a Redevelopment Project, have been complied with, and

**WHEREAS**, the City Council, pursuant to Title 36, Chapter 12, Article 3, Section 36-1473 specifically declares the area to be in need of redevelopment, and

**WHEREAS**, a Redevelopment Plan for Area 5 of the University Hayden Butte Redevelopment Area has been prepared, submitted and approved by the City of Tempe Planning and Zoning Commission on November 12, 2002 and found to be in conformance with the General Plan for the development of the municipality as a whole, and

**WHEREAS**, a General Plan has been prepared and is recognized and used as a guide for the general development of the City of Tempe as a whole.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:**

Section 1. That the University Hayden Butte Redevelopment Area is amended to include the McClintock Rio Salado Parkway Redevelopment Area as "Area 5" as described on attached Exhibits "A" through "C".

Section 2. That Area 5 of the University Hayden Butte Redevelopment Area is appropriate for a CDBG Redevelopment Project, and that the undertaking by the City of Tempe of a CDBG Redevelopment Project of the character contemplated by Title I in the proposed area is necessary and in the interest of public health, safety, morals or welfare of the residents of the City and is hereby approved.

Section 3. That the University Hayden Butte Redevelopment Area 5 which includes the McClintock-Rio Salado Parkway Redevelopment Area is an area in need of redevelopment and qualifies as an eligible area under the provisions of Chapter 12, Article 3, Title 36, Arizona Revised Statutes, Section 36-1471, et seq.

Section 4. That the Redevelopment Plan for Area 5 of the University Hayden Butte Redevelopment Area, having been duly reviewed and considered, is hereby approved.

Section 5. That it is hereby found and determined as a matter of public necessity that where the objectives of the Redevelopment Plan cannot be achieved through rehabilitation of portions of the redevelopment area complying with the program, the power of eminent domain may be used

Section 6. That the Redevelopment Plan for Area 5 of the University Hayden Butte Redevelopment Area conforms to the General Plan of the City of Tempe.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA,**  
this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

**Exhibit "A"**

**LEGAL DESCRIPTION  
UNIVERSITY HAYDEN BUTTE AREA 5 INCLUDING THE  
MCCLINTOCK-RIO SALADO PARKWAY REDEVELOPMENT AREA**

Three parcels of land being a portion of the Northeast and Northwest Quarters of Section 13, Township 1 North, Range 4 East, Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

**Parcel 1:** The Northwest Quarter of the Northwest Quarter of said Section 13.

Excepting therefrom any portion previously dedicated to the City of Tempe for roadway purposes.

**Parcel 2:** All that portion of land described in Annexation Ordinance 99.34 as recorded in Maricopa County Recorder's Instrument Number 99-1046990.

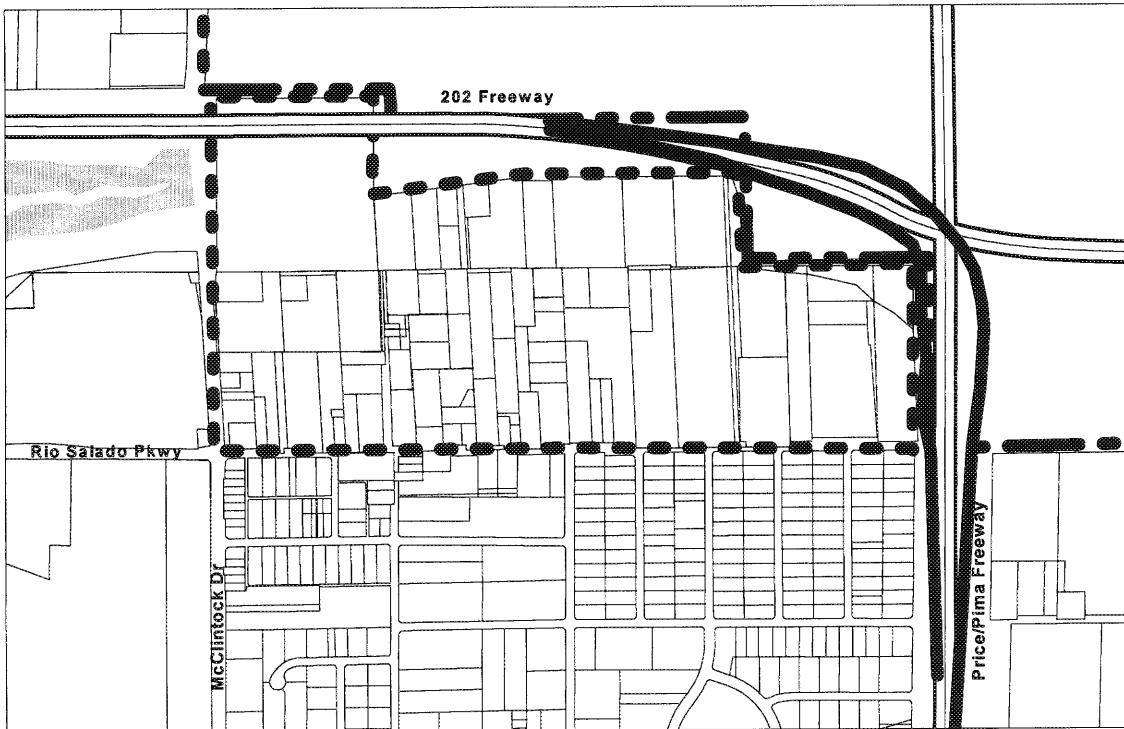
Excepting therefrom Parcel 4 as shown on said annexation Ordinance 99.34

**Parcel 3:** That part of said Northeast and Northwest Quarters of said Section 13, bounded on the West by the West line of that certain parcel of land described in Annexation Ordinance 389 a recorded in Docket 4473, Pages 101 through 105, Maricopa County Recorder; on the North by North line of the South half of the North half of said Section 13; on the South by the South line of the North half of said Section 13; and on the East by the East line of the South half of the North half of said Section 13.

Excepting therefrom any portion previously dedicated to the City of Tempe for roadway purposes.

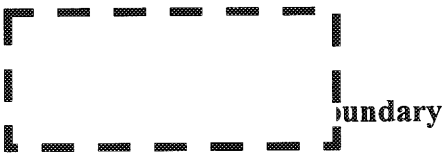
Exhibit "B"

"AREA 5"



▲North

University Hayden Butte Area 5 including the McClintock-Rio Salado Parkway Redevelopment Area



"Area 5"

**RESOLUTION NO. 2002.52**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF TEMPE, ARIZONA, MODIFYING THE PROJECTED  
LAND USE MAP OF GENERAL PLAN 2020 FOR  
74 GROSS ACRES AT 1800 EAST RIO SALADO PARKWAY.**

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, that the  
Projected Land Use Map of **General Plan 2020** be modified for McClintock / Rio Salado Parkway Redevelopment Area at  
1800 East Rio Salado Parkway to show 74 gross acres of Mixed Use rather than Open Space.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA,  
this \_\_\_\_ day of \_\_\_\_\_, 2002.

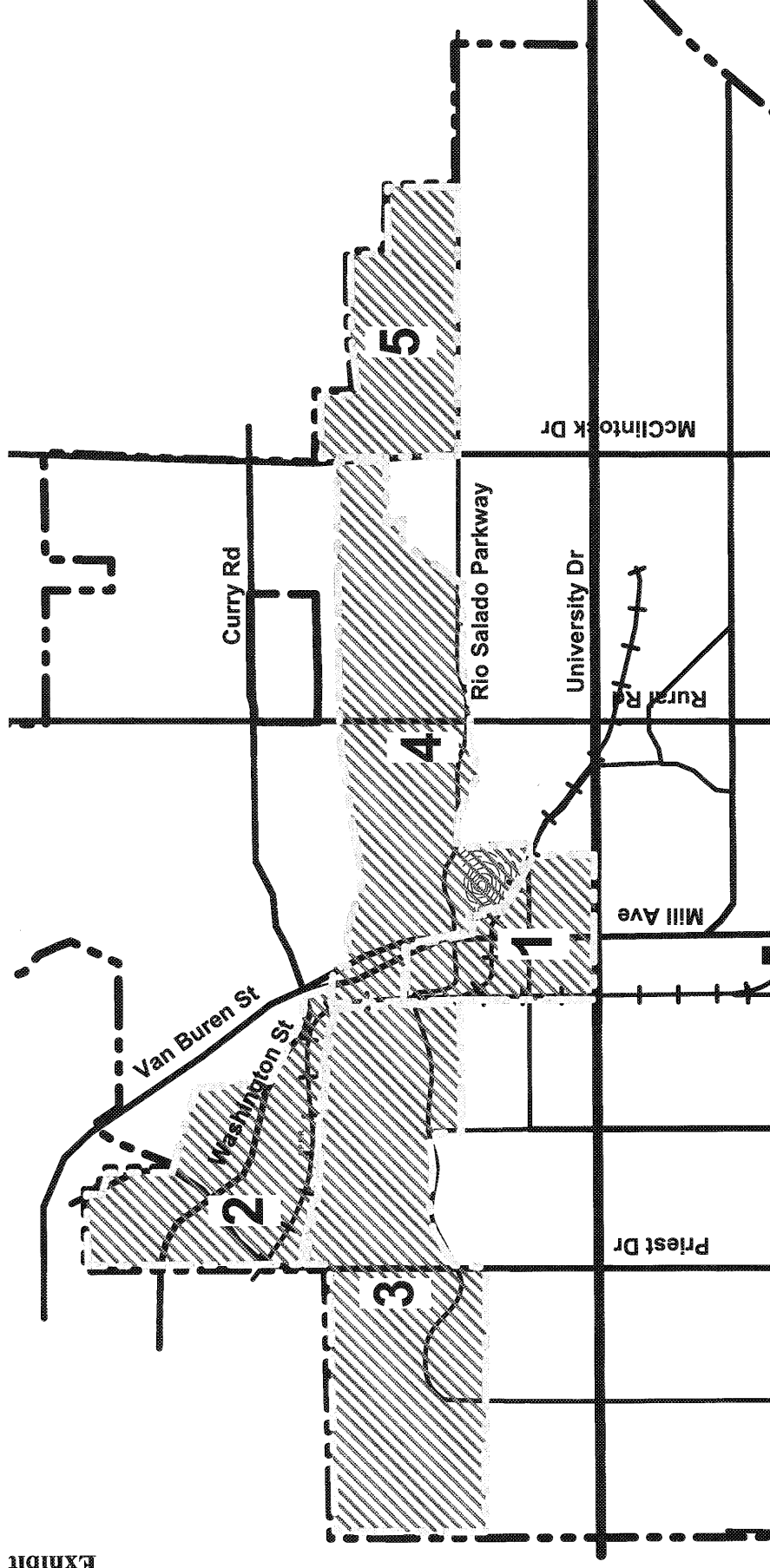
\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY



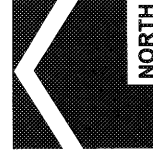
Amended Redevelopment Area



Redevelopment Area Boundary



Amended Redevelopment  
Area Boundary



# University/Hayden Butte Redevelopment Area (Amended)